

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 04-11730 NG

GEORTO, INC.,
Plaintiff,

v.

WILLIAM GATEMAN, INDIVIDUALLY
AND AS A TRUSTEE OF THE
200 UNION STREET REALTY TRUST,
Defendant,
Third Party Plaintiff, and
Third Party Defendant-in-Counterclaim,

v.

ROBERTS CORPORATION,
Third Party Defendant, and
Third Party Plaintiff-in-Counterclaim.

**THIRD PARTY DEFENDANT ROBERTS
CORPORATION'S PRE-TRIAL DISCLOSURE**

The Third Party Defendant Roberts Corporation submits the following Pre-trial
Disclosure:

I. WITNESSES

A. The Third Party Defendant Roberts Corporation expects to present the following
witnesses at trial:

1. Robert B. Stalker, Jr.
Roberts Corporation
4 Bridle Ridge Road
Hudson, NH 03051

2. Kevin Doherty
Roberts Corporation
4 Bridle Ridge Road
Hudson, NH 03051
3. James Hawkins
Georto, Inc.
2980 McFarlane Road, Suite 202
Miami, FL 33133
4. William Gateman
93 Atlantic Avenue
Swampscott, MA
5. Scott Wetherbee
Scott Whetherbee Contracting
3 Robin Road
North Reading, MA 01864
(781) 389-1621

B. The Third Party Defendant Roberts Corporation may present the following additional witnesses at trial:

6. Keeper of Records of Coastal Recycling
23 Green Hill Road
Johnston, RI 02919
(401) 944-4276
7. Envirotest Laboratory
Employee: Richard Charpentier
307 Pond Street
Westwood, MA 02090
(781) 278-0080
8. Jackson D. Gateman
3 Tip Top Road
Swampscott, Massachusetts 01907

9. Scott Hungate
Address Unknown
704 847-0189
10. Keeper of Records Lynn Fire Department
725 Western Avenue
Lynn, MA 01905
(781) 593-1234
11. Massachusetts Department of Environmental Protection
Employee: Joe Dowling
Asbestos Program
One Winter Street
Boston, MA 02112
12. Keeper of Records of Prolerized New England
Rover Street
Everett, Massachuseetts
617-389-8300
13. Keeper of Records Red Baron Trucking, Inc.
6 Archer Street
Swampscott, MA 01907
14. Keeper of Records of Roberts Corporation
Roberts Corporation
4 Bridle Ridge Road
Hudson, NH 03051
15. SCS Environmental Services
Employees: Kevin Moran

Joe Capone
80 Border Street
E. Boston, MA
617 569-3600

16. Keeper of Records of Testa Corp.
50 Salem Street
Lynnfield MA 01940
(781) 245-3555
17. Keeper of Records of Waste Management of NH, Inc.
90 Rochester Neck Road
Rochester, NH
(603) 330-2134
18. Phillip Dennis Moran
413 Stuart Road
Eaton, NH
19. Lauren McKinlay
c/o Jonathan Braverman, Esq.
50 Braintree Hill Park, Suite 108
Braintree, MA 02184
20. Steven John McIntyre
299 Long Cabin Road
Arundel, ME
21. Paul F.X. Yasi
Yasi & Yasi, PC
Two Salem Green
Salem, MA 01970

The Third Party Defendant Roberts Corporation reserves the right to present any witnesses listed by the plaintiff Georto, Inc. or Defendant William Gateman in their respective disclosures or to supplement this disclosure in order to rebut any disclosures listed by them.

II. WITNESSES TO BE PRESENTED BY DEPOSITION

The Third Party Defendant Roberts Corporation does not expect to present any witnesses by means of a deposition at this time. However, Roberts Corporation understands that other parties, including the plaintiff Georto, Inc. may do so and, thus, Roberts Corporation reserves the right to designate portions of any transcript offered by other parties or to supplement this disclosure in order to rebut any designations listed by them.

III. EXHIBITS

A. The Third Party Defendant Roberts Corporation expects to present the following exhibits at trial:

1. Contract between Roberts Corporation and William Gateman
2. Family Dollar Contract for Purchase and Sale of Real Estate
3. Georto, Inc. Contract for Purchase and Sale of Real Estate
4. Roberts Corporation daily tracking and daily job reports
5. Roberts Corporation's Notes of Appointments and Phonecalls
6. Roberts Corporation's DEP Application "Notification Prior to Construction or Demolition"
7. Roberts Corporation's Landfill Receipts for Loads of Demolition Removed from 200 Union Street, Lynn, MA
8. Roberts Corporation's Documents Concerning Asbestos Removal from 200 Union Street, Lynn, MA

9. Roberts Corporation's Invoice, Accounting Records, and Receipt Payment
Regarding Demolition of 200 Union Street, Lynn, MA
10. Deed of Purchase of Union Street Property by Georto, Inc.
11. Deed of Purchase of Union Street Property by Family Dollar
12. Deed of Purchase of Union Street Property by William Gateman
13. Documents concerning Insurance Proceeds Received by William Gateman for
Union Street Property
14. Bank Records of William Gateman concerning Union Street Property
15. Documents regarding property taxes owned by Gateman
16. Demonstrative Exhibits

The Third Party Defendant Roberts Corporation reserves the right to offer any documents listed by the plaintiff Georto, Inc. or Defendant William Gateman in their respective disclosures or to supplement this disclosure in order to rebut any documents listed by them.

Third Party Defendant,
Roberts Corporation,
By its attorney,

/s/ J. Mark Dickison
J. Mark Dickison (BBO#629170)
Lawson & Weitzen, LLP
88 Black Falcon Avenue, Suite 345
Boston, MA 02210
(617) 439-4990

CERTIFICATE OF SERVICE

I, J. Mark Dickison, hereby certify that this document filed through the ECP system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on July 18, 2006.

/s/ J. Mark Dickison
J. Mark Dickison (BBO No.629170)